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ALASKA'S INTERNATIONAL INTERESTS IN FISH AND GAME

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Today I am here to talk to you on Alaska's International Interests in Fish and Game. I am grateful for this opportunity to again appear before the Alaska State Chamber of Commerce. When Don Dickey, your manager, invited me to speak two weeks ago, he asked that I discuss the negotiations that were currently being carried on in Ottawa between Japan, Canada and the United States in connection with the I.N.P.F. Treaty. After reflecting on this matter and the small amount of progress which could be discussed, I decided to take the liberty in preparing my presentation to enlarge on this subject considerably and to include the international agreements and commitments of the United States in which Alaska has a special interest insofar as they apply to fish and game.

Many of us consider January 1, 1960 as a milestone in Alaska's history since it marked the day when the Federal era of complete responsibility and control of fish and game was turned over to the fledgling new state. The state gladly accepted its new obligations and duties - recognizing fully that these entailed a responsibility not only to Alaskans, but in the national interest as well.

The importance of the fish and game resources to the state can readily be appreciated when one reviews the commercial fishery of Alaska and its impact on the economy. In 1963, 391 million pounds of fish were landed in Alaska by 18,000 commercial fishermen. These fishermen were paid 47 million dollars for their catch. Additionally, the catch as prepared for market had a first wholesale value of 109 million dollars. I am pleased to say that the 1964 catch and value will far exceed that cited for 1963 since the 1964 salmon run produced 3.7 million cases of salmon - the highest production for the past 15 years. Everyone in Alaska benefits in one way or another from this, our biggest basic industry.

Fisheries can be considered a new science. This is particularly true in Alaska where the accumulated factual knowledge on our fish and game resources has barely been scratched. We are still managing many of our valuable fish and game populations on a basis of meager scientific evidence. To the layman, I suspect fish and game management is a relatively simple procedure. One catches X number and permits Y number to escape - thus insuring a brood stock for the

perpetuation and enhancement of the population. This is essentially true. However, when we get into the specifics through scientific inquiry, we find the problem is much more complex than we originally supposed. We encounter such problems as the segregation of races within a species, sex composition of the escapement, optimum escapement numbers, quality of the brood stock, etc. My point here is that fish and game management is complex, dictating a critical need for factual information which will enable us to manage our resources on a maximum sustained utilization basis. Indeed, it has been cited by some scientists that Alaska's salmon production could be doubled if managed on a completely scientific basis. There is a continuing and pressing need for more facts on fish and game if we are to achieve this goal.

The fish and game populations and their harvest is complex enough when limited to U.S. nationals. In the last decade we have seen an alarming and dramatic change occur in the commercial fisheries harvest. Up to this point, for the most part, only one nation has been exploiting a single stock of fish and this harvest was limited primarily to in-shore waters. Now, foreign fleets, in some cases operating thousands of miles from their home base in international waters, have entered the picture, making management of the stocks much more complex.

Alaska can manage its commercial fisheries when exploited only by U. S. nationals. There is no question on this score. When foreign nations enter the picture, one goes beyond the purview of the state, necessitating international agreements between the U. S. and the other participating nations. Alaska depends on these international agreements and commitments in no small measure, for the orderly harvest and preservation of our fish and game resources.

I am sure that many of you are familiar with some of our more publicized international agreements. It may surprise all of you that we are vitally concerned with at least eleven international agreements or arrangements of one kind or another. I would like to review these agreements with you at this time.

I. Interim Convention on Conservation of North Pacific Fur Seals came into being in 1911 and has had some changes since the original convention was signed. The convention was negotiated as a result of the participating governments of Japan, Canada, U.S.S.R. and the U.S. who decided to take effective measures toward achieving maximum sustainable productivity of the fur seal resources of the North Pacific Ocean so that the fur seal populations could be brought to and maintained at levels which would provide the greatest harvest year after year.

The convention, in one of its more important provisions, prohibits pelagic sealing by the nationals of the signatory states except for scientific purposes; it specifies the division of returns from the commercial harvest; provides for cooperative exchange of information; provides for enforcement; establishes a Commission and outlines its authorities and duties; and makes exception to allow the taking of seals by Aleuts, Ainos, or Eskimos using aboriginal methods.

We consider pelagic sealing to be wasteful since harvesting by sex and age cannot be accurately done by this method and inevitably some animals are lost during pelagic harvesting. We support a harvest carried on in the rookeries.

The Alaska Statehood Act provides that the state shall receive, at the close of each fiscal year, 70% of the net proceeds from the sale of all U.S. fur seal skins. This has averaged \$775 thousand dollars annually during the past four years. The federal government is responsible for the education and welfare of the natives of the Pribilofs (Alaska's fur seal rookery) but the cost of carrying out this obligation is deducted from the gross proceeds of the sale of seal skins, as are the costs of harvesting, processing, transporting, and selling the skins. The net effect is that the seal proceeds are paying for the education and welfare of Alaska residents in the Pribilofs as well as providing money to the state to be used for other purposes.

II. Next we will discuss the Convention Between the U.S. and Canada and between the U.S. and Mexico for the Protection of Migratory Birds in North America. The U.S.--Canada convention was formed and ratified in 1961, and the U.S.--Mexico treaty was ratified in 1937; neither has been renegotiated or altered since that time. The need for these conventions is recognized when one considers that a number of game birds and others migrate regularly between the northern, middle and southern portions of North America. Unilateral attempts to regulate the taking of these birds or to apply other management measures would obviously be fruitless. The treaties between the U.S. and Great Britian (Canada) and the U.S. and Mexico help assure that management in one portion of North America will not be nullified by adverse activities elsewhere.

The participating nations were desirous of saving from indiscriminate slaughter and insuring the preservation of such migratory birds as are either useful to man or harmless. Because the

vast majority of migratory birds which nest in Alaska migrate across Canada and winter in Canada, other states or Mexico, it is conceivable that were it not for these treaties Alaska's supply of birds would steadily decrease through excess exploitation over which we would have little or no control.

It now appears that certain aspects of these conventions could well be modified to provide additional benefits to Alaska without causing any harm to the supply of birds. For example - some species covered by the treaty are believed to migrate entirely within Alaska and these could stand considerably heavier utilization than the terms of the conventions now permit. Another factor to be considered is that certain bird species reproduce and leave the northern portions of Alaska prior to the earliest hunting date permitted by the treaties. Certainly these facts plus the high subsistence value of waterfowl to native Alaskans should receive consideration when judging the question of altering these old treaties.

III. Although there is no commercial whaling activity by Alaskan interests, we have a vital interest in the International Convention for the Regulation of Whaling. This convention was entered into force in 1948 and has as participants a number of nations including Japan, U.S. and others. The convention provides for a 17 member commission which is the governing body of the world's whaling operations. The majority of whales spend their lives in international waters, hence the need for international research and management of whale stocks in the interest of the resource. Quotas on various species are set by the commission. Presently the convention benefits Alaska mainly by prohibiting the commercial taking of gray whales and right whales, thus helping assure a continued supply of these species for local consumption by the "aboriginies". Should the convention ultimately result in a sufficient increase of world whale stocks, the establishment of shore factories for processing of whales in Alaska is certainly not outside the bounds of probability.

IV. The Alaska International Development Commission is provided for in Chapter 61, SLA 1959. This law establishes in the Governor's office a commission whose members include the Governor; the Alaska delegation to Congress; one member each from the State Senate and House of Representatives; and the Commissioners of Fish and Game, Natural Resources and Public Works. The duties of the commission consist of preparing plans for the joint development for the use by

Alaska, and Canada, water resources of the upper Yukon river and its tributaries; and minerals, power and forest resources near the boundary between Canada and Alaska. It is also charged with the responsibility to study proposals for the use by Canada of Alaskan lands for industrial trade and related facilities and to meet with other agencies having related interests to both Canada and the U.S. Thus far three meetings have been held between representatives of Alaska, Yukon Territory and British Columbia. Alaska has benefitted from the formation of the Commission and by the related conferences through the achievement of a feeling of mutual cooperation, understanding and friendship with our Canadian neighbors. The resources and problems between us are so closely related that mutual cooperation and understanding are essential to both countries.

V. The International Pacific Halibut Commission has been highly instrumental in the rehabilitation of the halibut stocks of the northeast Pacific Ocean. The halibut commission whose member nations are Canada and the U.S., was formed in 1923. The commission is charged with regulatory powers for the harvest of halibut on a maximum sustained yield basis. Research is conducted by a commission scientific staff. Since a substantial portion of the halibut are harvested in international waters by both Canadian and U. S. fishermen it is imperative that the regulatory authority for the harvest and perpetuation of the halibut stocks be vested in this international commission. The Commission has done an outstanding job which has served as a model throughout the world.

VI. The Committee on Problems of Mutual Concern was formed as a result of a recommendation by the Second Conference on Coordination of Fisheries Regulations between Canada and the U.S. held in Vancouver in 1959. The objectives of the committee were to study the appropriateness of off-shore net fishing lines, (the surf line in Canada) and the management problems associated with the salmon fishery of southeastern Alaska and northern British Columbia. The committee consists of representatives of the U.S. government, the State of Alaska and the Canadian government. Members of the committee meet annually to exchange and discuss data and reports concerning the salmon runs of interest to both countries. This is necessary since runs of salmon bound for spawning grounds in coastal B.C. and Alaska often migrate through the territorial waters of each country and are thus exposed to the fisheries of both countries. Proper

management of the various coastal salmon runs is often rendered difficult because of this migration pattern. It is hoped that eventually, mutually satisfactory management regulations and procedures will be instituted by each country individually for optimum escapements of salmon runs to the parent country. Unless the problem is delineated and management measures instituted we face the distasteful prospect that some valuable runs could be decimated prior to reaching their natal country.

VII. The International King and Silver Salmon Committee was formed in 1963. It consists of four members each from the U.S and Canada and eight advisors. It addresses itself to the conservation problems attendant with the harvest of king and silver salmon in international waters by the participating nations. The commission has no regulatory powers, however, it makes recommendations for the regulation of these resources.

VIII. The International Trawl Committee between the U.S. and Canada was formed in 1959 in recognition of the need for regulations that will assure a continued optimum harvest of bottom fish stocks which are in offshore waters off both countries and thus exposed to a common fishery. Although Alaska has no bottom fishery at the present time, participation in the committee assures that Alaskans will have a voice in any future exploitation of bottom fish stocks that may be of interest to Alaskan fleets.

IX. I am sure most of you can recall the serious conflicts that arose between trawling vessels of the U.S.S.R. and our own king crab fishermen in the Kodiak Island area. Governor Egan, recognizing the seriousness of the American king crab fishing gear losses, travels to Misco in February 1964 and as a result, a Memorandum of Mutual Agreement was drawn up between the U.S. and the U.S.S.R in Juneau in July 1964 which has resulted in a definite improvement in relations between the Soviet trawl fishery in international waters off Kodiak and the king crab fishery being pursued by Alaskan fishermen. The objectives of the agreement are to permit the pursuit of the respective fisheries in international waters with a minimum of conflict. This has been accomplished by: (1) establishing zones of high crab pot concentrations which are closed to trawling; (2) delineating areas where a lesser pot fishery was being pursued and setting up a method of direct communication between Kodiak and the Soviet fleet thus notifying the Soviets of pot locations, and;

(3) specifically stating that great precaution will be exercised by the Soviets when in areas where fixed gear is reported or is sighted. The benefits to Alaska include an orderly increase both in the development of the crab fishery and in the efficiency of the fishing units. This would not have been possible if the gear losses had continued. While the agreement has yet to be officially consummated with an exchange of notes between the two governments, it has been noted by the Kodiak fishermen that the Soviet vessels have mounted bow watches when in the vicinity of crab gear and taken evasive action to avoid the gear -- a definite improvement.

X. The International Convention for the High Seas Fisheries in the North Pacific Ocean, commonly known as the I.N.P.F.C., was ratified by Japan, Canada, and the United States in 1953. This is no doubt the single most important fisheries agreement effecting Alaska. It has protected almost all our salmon and halibut stocks from foreign encroachment - the one notable exception being the Bristol Bay red salmon stocks.

The stated objectives of the convention were to insure the maximum sustained productivity of the fishery resource of the North Pacific Ocean. The treaty created a commission composed of four members from each country to implement its provisions. To achieve the objective of the convention, the principle of abstention was included in the treaty. This principle provides that where one or more nations have been harvesting a stock of fish on a maximum sustained yield basis, is conducting scientific research, and is regulating the fishery to provide the maximum sustainable yield, then that nation or nations have the sole right to harvest the stocks so long as the above conditions can be demonstrated. Japan originally agreed to abstain from fishing North American salmon, halibut, and herring stocks with the line of demarkation being 175° W. longitude. Unfortunately, scientific research since the inception of the treaty has demonstrated that considerable numbers of Bering Sea salmon, particularly Bristol Bay reds, go west of 175° W. longitude. The United States, due to the wording of the treaty, has been unable to afford these stocks additional protection.

During the life of the treaty some stocks have been dropped from the abstention list as full utilization could not be scientifically proven. These include the Bering Sea halibut, U.S. herring stocks, and some Canadian herring stocks.

The treaty was to be in force for a ten year period and for as long thereafter until one nation chose to ask for renegotiation or to abrogate. In 1963 Japan gave notice that she desired a meeting of the participating parties to discuss a new convention. Since that time three meetings of the three nations have been held and as yet, complete agreement has not been reached. Japan has constantly pressed for the elimination of the abstention principle claiming this is an "unjust monopoly". She, no doubt, would like the right to fish for more North American salmon and halibut. The U. S., on the other hand, insists that in order to fully conserve and utilize these stocks, we must have the full right to utilize them and that joint use by high seas fishing would in a short time destroy them.

However, at least equally important and perhaps of greater importance to Japan are the problems which are created for her by the abstention agreement. Fisheries negotiations for fishing rights with such countries as Korea, China, and the U.S.S.R. are made more difficult. For this reason, Japan has insisted that a more acceptable form of convention be found.

During the past three meetings between the parties a closer agreement on the wording of the treaty has been reached. Major areas of disagreement still exist. These include the U.S. insistence that Japan's fishery of Bristol Bay salmon stocks West of 175° must be regulated. Japan has not agreed.

Additionally, Japan believes she should have some right to harvest halibut in those areas where quotas have never been in effect. The U.S. and Canada have not agreed with this contention insisting they are being fully utilized and using as an example - the decimation of the halibut stocks in the Bering Sea when a joint fishery was agreed upon.

We must bear in mind that our fishery stocks have had great protection under the present convention and that Japan has the right to abrogate the present treaty at any time. A treatyless condition would be of no advantage to any of the three nations but probably of a greater disadvantage to Alaska than elsewhere. Imagine, if you will, what would be the results of an unregulated high seas salmon fishery in the Bering Sea and Gulf of Alaska following the salmon runs up to the three mile limit and a great trawl fishery in the Gulf of Alaska for halibut. We could kiss our industry and the stocks of fish goodbye. It is in Alaska's, as well as in the international interest, to resolve the problems in the interest of

the fisheries resources and the participating nations. Another meeting on negotiations is scheduled to be held in the U.S., probably after January 1965. It is hoped a satisfactory agreement can be reached during this session.

XI. During the United Nations Conference on the Law of the Sea in 1958, a very important convention was adopted called the Convention of the Continental Shelf. This convention provides that a coastal state shall exercise over its continental shelf sovereign rights for the purpose of exploring and exploiting its natural resources when such resources at their harvestable stage are either immobile on or under the sea bed or are unable to move except in constant physical contact with the sea bed or subsoil. This convention had to be ratified by 22 nations before it would be legally effective. The 22nd nation ratified the convention in August 1964. Japan has not ratified it and probably will not.

It is the U.S. contention that king crab qualify as creatures of the Shelf. This convention has already served to protect from foreign encroachment our king crab resources in the Gulf of Alaska where extensive Alaskan fisheries exist. This has been done by informal government to government meetings between the U.S. and Japan and the U.S. and the U.S.S.R.

It is expected that official discussion will soon take place with Japan and the U.S.S.R. concerning their king crab fisheries on the U.S. Shelf in the Bering Sea. Japan has been fishing crabs here since the 1930's and Russia only the last five years. The official U.S. attitude is not known at this time as to whether the two countries will be asked to remove their fisheries or if they will be allowed a phase out period.

The foregoing compacts are vital to the orderly harvest and perpetuation of the fish and game resources in the national and international interest. I have no doubt that as time goes on some of the compacts mentioned will have to be broadened to encompass a more rigid control over those animals and fishes that are international in character. Additionally, compacts will have to be formed to cover other species not now covered by international treaty. For example, the bottom fishes off Alaska have been heavily fished by the Russians and Japanese the last few years. Already there is

evidence of a depletion in the abundance of these species particularly in the Bering Sea. Although we are not participating in this fishery because of economic reasons, we have a real interest in the welfare of these stocks of fish. In time I am sure Alaskans will be out there competing with the Russians and Japanese for them.

When I reflect on the world wide population explosion, in some countries much more critical than the U.S. where statisticians have told us that by the year 2000, our population will have doubled, it becomes obvious to me that the tremendous acceleration and interest by all nations in the food resources of the sea will be even more increased.

The U.S. is not holding its own in harvesting food from the sea. In 1956 we were second only to Japan in world fishery production -- by 1961 we had slipped to fifth place behind Japan, Peru, Red China and the U.S.S.R. Nations are sending fleets thousands of miles from their home shore in search of food to feed their growing populations. The fleets are complete with tankers, tenders, medical facilities, etc., so that they can operate for long periods of time without returning to their home base.

International agreements between nations are mandatory - otherwise the decimation of fish and game stocks which are international in character will be the inevitable result. Freedom of the seas must not be interpreted to exclude restrictions for the orderly harvest and conservation of the resources of the seas.